

Seeter/JS



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Raymond G. Goodwin and  
Wanwan S. Din

Docket No. 2519-A

Serial No.: 09/855,564

Art Unit: 1647

Filing Date: May 14, 2001

Examiner: Unknown

For: METHODS OF USE OF THE TACI/TACI-L INTERACTION

BOX MISSING PARTS

Assistant Commissioner for Patents  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION**

Dear Sir:

In response to the Notice to File Missing Parts mailed October 26, 2001 and having a two-month period for response ending December 26, 2001, Applicants submit the following. As a preliminary matter, Applicants' representative is not of record and therefore respectfully submits the enclosed Associate Power of Attorney.

The Notice states that the oath or declaration is missing and a properly executed oath or declaration must be submitted with the requisite fee. Applicants respectfully submit a true copy of an executed Declaration and Power of Attorney from parent U.S. Patent Application No. 09/302,863, as permitted under 37 CFR §1.63(d)(1).

37 CFR §1.63(d)(1) states:

A newly executed oath or declaration is not required under §1.51(b)(2) and §1.53(f) in a continuation or divisional application, provided that:

- (i) The prior application contained an oath or declaration as prescribed by paragraphs (a) through (c) of this section;

- (ii) The continuation or divisional application was filed by all or by fewer than all of the inventors named in the prior application;
- (iii) The specification and drawings filed in the continuation or divisional application contain no matter that would have been new matter in the prior application; and
- (iv) A copy of the executed oath or declaration filed in the prior application, showing the signature or an indication thereon that it was signed, is submitted for the continuation or divisional application.

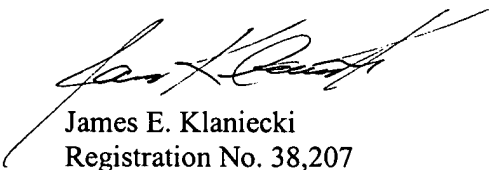
The present application is a continuation of U.S. Patent Application No. 09/302,863, as evidenced by enclosed copy of the original Utility Patent Application Transmittal. Applicants note that the present application has the same inventors as the parent application and that no new matter has been added, thereby satisfying elements (i)-(iii) §1.63(d)(1). And finally, Applicants submit for filing a true copy of the original Declaration and Power of Attorney from parent application no. 09/302,863.

The Notice also requests a set of substitute drawings that comply with 37 CFR 1.84. Applicants are in the process of having proper drawings prepared and will file them within three months of the Notice of Allowability, as permitted under 37 CFR §1.85(c).

Applicants hereby authorize the Commissioner to charge the required surcharge of \$130, to Deposit Account No. 09-0089. A copy of this paper is enclosed for accounting purposes.

Applicants hereby authorize the charging of any fee required for the filing of the enclosed documents, even if different from that calculated above, or crediting of any overpayment, to Deposit Account No. 09-0089.

Respectfully submitted,



James E. Klaniecki  
Registration No. 38,207

Law Department  
Immunex Corporation  
51 University Street  
Seattle, WA 98101  
Telephone (206) 587-0430

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: BOX MISSING PARTS, Assistant Commissioner for Patents, Washington, D.C. 20231, on the date indicated below.

Date: December 7, 2001 Signed Elizabeth M. McCarthy  
Elizabeth M. McCarthy

2001-12-07 14:09:59



**UTILITY PATENT APPLICATION TRANSMITTAL (Large Entity)**  
*Only for new nonprovisional applications under 37 C.F.R. 1.53(b)*

Docket No.:  
**2519-A**

Express Mail Label No.:  
**EL591094794US**

**TO THE ASSISTANT COMMISSIONER FOR PATENTS**  
**BOX PATENT APPLICATION**  
**Washington, D.C. 20231**

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

**METHODS OF USE OF THE TACI/TACI-L INTERACTION**

and invented by:

**GOODWIN, Raymond G. and, DIN, Wanwan S.**

If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information:

☒ Continuation      ☐ Divisional      ☐ Continuation-in-part (CIP)

of prior application No.: 09/302,863, filed April 30, 1999

Enclosed are:

**Application Elements**

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification including claims and abstract ( 21 pages total)
3. ☒ Drawing(s); Number of Sheets 11
4. ☒ Oath or Declaration
  - a. ☐ Newly executed
  - b. ☒ Copy from a prior application (37.C.F.R. 1.63(d)) (*for continuation/divisional application only*)
  - c. ☒ With Power of Attorney      ☐ Without Power of Attorney
  - d. ☐ DELETION OF INVENTOR(S)

Signed statement attached deleting inventor(s) named in prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☒ Incorporation by Reference (usable if Box 4b is checked)

The entire disclosure of the prior application from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Computer Program in Microfiche (Appendix)
7. ☒ Nucleotide and/or Amino Acid Sequence Submission
  - a. ☒ Paper copy
    - ☐ Pages \_\_\_\_\_ - \_\_\_\_\_ of specification
    - ☒ Separately numbered pages 1 - 7
  - b. ☐ Computer Readable Copy
  - c. ☐ Statement Verifying Identical Paper and Computer Readable Copy
  - d. ☒ Statement under 37 C.F.R. 1.821(e) in lieu of Computer Readable Copy

UTILITY PATENT APPLICATION TRANSMITTAL (Large Entity)	Docket No.: 2519-A
---	--------------------

### Accompanying Application Parts

8. ☒ Assignment
- a. ☐ Executed original Assignment and Recordation Form enclosed
- b. ☒ Prior application is assigned of record to Immunex Corporation  
(reel 010170 frame 0554)
9. ☐ 37 C.F.R. 3.73(B) Statement (*when there is an assignee*)
10. ☒ Preliminary Amendment
11. ☒ Acknowledgment postcard
12. ☒ Certificate of Mailing by Express Mail (Label No.: EL591094794US)
13. ☐ Certified Copy of Priority Document(s) (*if foreign priority is claimed*)
14. ☒ Additional Enclosures (*please identify below*):

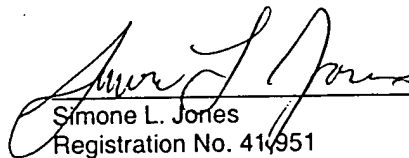
Information Disclosure Statement; Form PTO-1449; Cited Reference (1)

### Fee Calculation and Transmittal

CLAIMS AS FILED (after any Preliminary Amendment submitted herewith)					
For	# Filed	# Allowed	# Extra	Rate	Fee
Total Claims	4	- 20 =	0	x \$18.00	\$0.00
Indep. Claims	2	- 3 =	0	x \$80.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$710.00
OTHER FEE ( <i>specify purpose</i> )					\$0.00
TOTAL FILING FEE					\$710.00

- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 09-0089 as described below. A copy of this sheet is enclosed.
- ☒ Charge the amount of \$710.00 as a filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional fees required under 37 C.F.R. 1.16 and 1.17.

Correspondence address:

  
Simone L. Jones  
Registration No. 41,951

Dated: May 14, 2001



22932



COPY OF  
ORIGINALS FILED

Page 1 of 2

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/855,564	05/14/2001	Raymond G. Goodwin	2519-A

22932  
IMMUNEX CORPORATION  
LAW DEPARTMENT  
51 UNIVERSITY STREET  
SEATTLE, WA 98101

CONFIRMATION NO. 2135

FORMALITIES LETTER



\*OC00000006973206\*

Date Mailed: 10/26/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

'22/2002 ABOITOM 00000157 090089 09855564

FC:105 130.00 CH

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

[illegible]